

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROBERT TREVINO,

Plaintiff,

vs.

WHITTEN, et al.,

Defendants.

1:05-cv-00466-OWW-SMS PC

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS** (Doc. 33)

**ORDER GRANTING DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT,
AND DIRECTING CLERK OF COURT
TO ENTER JUDGMENT FOR
DEFENDANTS AND AGAINST
PLAINTIFF** (Doc. 27)

Plaintiff Robert Trevino ("plaintiff") is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 72-302.

On August 29, 2007, the Magistrate Judge filed a Findings and Recommendations herein which was served on the parties and which contained notice to the parties that Objections to the Findings and Recommendations were to be filed within thirty days.

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2 On September 17, 2007, plaintiff filed an Objection to the
3 Magistrate Judge's Findings and Recommendations.

4 In accordance with the provisions of 28 U.S.C. §
5 636(b)(1)(C) and Local Rule 73-305, this Court has conducted a de
6 novo review of this case. Having carefully reviewed the entire
7 file, the Court finds the Findings and Recommendations to be
8 supported by the record and by proper analysis.

9 Accordingly, IT IS HEREBY ORDERED that:

10 1. The Findings and Recommendations, filed August 29,
11 2007, is ADOPTED IN FULL;

12 2. Defendants' motion for summary judgment, filed March 8,
13 2007, is GRANTED; and,

14 3. The Clerk of the Court shall enter judgment for
15 defendants and against plaintiff.

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17 IT IS SO ORDERED.

18 **Dated: October 27, 2007**

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE